

## CERTIFICATE UNDER 37 C.F.R. §3.73(b)

APZ09001167PTO

26 APR 2006

Applicant: John Joseph Partridge  
Appln No.: To be Assigned Filing Date: Concurrently herewith

**For:** *DIASTEREOMERIC DYNAMIC KINETIC RESOLUTION PROCESS FOR  
PREPARING (+)-(2S,3S)-2-(3-CHLOROPHENYL)3,5,5-TRIMETHYL-2-MORPHOLINOL,  
SALTS, AND SOLVATES THEREOF*

**SmithKline Beecham Corporation.**

(Name of Assignee)

**Corporation**

(Type of Assignee, e.g. corporation, partnership, university, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded on April 5, 2006 in the Patent and Trademark Office at Reel 17424, Frame 665, or for which a copy thereof is attached.

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: Inventors To:  
The document was recorded in the Patent and Trademark Office at Reel xxx, Frame xxx, or for which a copy thereof is attached.

2. From: To: SmithKline Beecham Corporation.  
The document was recorded in the Patent and Trademark Office at Reel xxx, Frame xxx, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed here:

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is given below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: April 26, 2006  
SmithKline Beecham Corporation  
D/b/a GlaxoSmithKline.  
Corporate Intellectual Property  
Five Moore Drive, P.O. Box 13398  
Research Triangle Park, NC 27709  
Telephone No.: (919) 483-2370  
Facsimile No.: (919) 483-7988

Signature: Robert H. Brink  
By: Robert H. Brink  
Title: Attorney (resolution attached)

## Power of Attorney

BY THIS POWER OF ATTORNEY given this 23<sup>rd</sup> day of February two thousand and five SMITHKLINE BEECHAM CORPORATION, a company incorporated in Pennsylvania (Registration No. 3330395) and having its registered office at One Franklin Plaza, P.O. Box 7929, Philadelphia, Pennsylvania 19101, United States of America, (hereinafter called "the Company"), HEREBY appoints all and any of its Directors, Secretary and Assistant Secretary for the time being, and DAVID ROBERTS, PETER JOHN GIDDINGS, ARTHUR WILLIAM RUSSELL TYRRELL, HUGH BAINFORDE DAWSON, WENDY ANNE FILLER, MICHAEL JOHN STOTT, PETER I. DOLTON, HELEN KAYE QUILLIN, MARCUS JONATHAN WILLIAM DALTON, CHARLES M. KINZIG, STEPHEN VENETIANER, THEODORE R. FURMAN, MARY E. MCCARTHY, EDWARD R. GIMMI, CHARLES EDWARD DADSWELL, ROBERT H. BRINK, and FRANK P. GRASSLER jointly and severally to be its true and lawful agents and attorneys (hereinafter called "the Attorneys") on behalf and in the name of the Company or otherwise to do, perform, exercise or execute or concur with any other person or persons in doing, performing or exercising in or for any country or countries or jurisdiction in any part of the world all or any of the following powers, acts, deeds and things in connection with: letters patent, including extensions thereto; utility models; copyrights; trademark registrations; trademarks; trade names; trade dress; logos; design rights; designs and all rights analogous thereto and all applications therefor and any other forms whatsoever of intellectual property rights; including know-how, all of which are hereinafter called "Intellectual Property Rights", that is to say:

1. In any country or countries or jurisdiction in any part of the world to make application or cause application to be made for the grant or issue or transfer to the Company or registration in its name of Intellectual Property Rights and to take all steps necessary for the same to be prosecuted, maintained, withdrawn, renewed, enforced, defended or extended.
2. As the act and deed of the Company to sign, seal, deliver and execute all or any assignments or assurances, licences to the Company of or under any Intellectual Property Rights or the right to and interest in any inventions to be the subject of Intellectual Property Rights for the purpose of fully and effectually vesting and transferring the same in and to the Company.
3. As the act and deed of the Company to sign and execute all or any assignments and acceptances of the transfer or assignment of such rights, and also any licences, sub-licences and consents from the Company of or under any Intellectual Property Rights or the right to and interest in any invention to be the subject of Intellectual Property Rights, for the purpose of fully and effectually vesting transferring or granting the same in and to any entity, whether in the United Kingdom or elsewhere, in so far as such documents can be executed without the Company's seal being affixed thereto. For purposes of this Power of Attorney, the terms "entity" means, and includes, any person, firm or company or group of persons or unincorporated body.
4. To give undertakings or assurances to third parties and to any Trademark Registry or official intellectual property agency or governmental department or otherwise responsible for the registration or protection of trademarks, trade names, trade dress, logos, design rights or designs for the purpose of best protecting or ensuring the co-existence of the Company's rights to trademarks, trade names, trade dress, logos, design rights or designs.
5. To commence, prosecute and defend any proceedings or applications whether judicial or extra judicial relating to Intellectual Property Rights and to maintain, withdraw or settle the same.


6. For and in connection with any Intellectual Property Rights to sign, seal, deliver and execute any Power of Attorney or other deed or document authorising any agent, including trademark and patent agents and attorneys, to act on behalf of the Company.
7. To apply for the registration, amendment or cancellation of user rights in respect of any trademark or trade name.
8. To act in regard to all official communications which may now or hereafter be addressed to the Attorneys relating to Intellectual Property Rights or the renewal thereof in such manner that the Attorneys may be recognised as the authorised agent(s) of the Company in all proceedings in relation thereto.
9. For all or any of the purposes contained herein as the act and deed of the Company to sign, seal, deliver, execute and do all such documents, deeds, agreements, instruments and to do such acts as shall be requisite or may be deemed proper for or in relation to the said purposes.
10. This Power of Attorney shall expire on December 31, 2006

**AND THE COMPANY HEREBY RATIFIES** and confirms and agrees to ratify and confirm all and whatsoever the Attorneys or any person, persons, firm or company appointed by them shall lawfully do or have done by virtue of the authorities herein contained

**AND THE COMPANY HEREBY DECLARES** that all instruments executed under and by virtue of this Power shall be as valid and effectual as if sealed by the Common Seal of the Company.

**IN WITNESS** whereof **SMITHKLINE BEECHAM CORPORATION** has caused its Common Seal to be hereunto affixed the day and year first before written

The **COMMON SEAL** of )  
**SMITHKLINE BEECHAM CORPORATION** )  
was hereto affixed in the presence of: )

  
\_\_\_\_\_  
Donald F. Parman  
Vice President and Secretary